

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)	
)	B/K Case No. 10-06002-JW
PAVILACK INDUSTRIES, INC.)	Chapter 7
)	
)	NOTICE AND APPLICATION
Debtor.)	FOR SALE OF PROPERTY

TO: All Creditors and Parties in Interest

YOU ARE HEREBY NOTIFIED that the Trustee in this case proposes to sell the property herein described according to the terms and conditions stated below.

TAKE FURTHER NOTICE that any response, return and/or objection to this application should be filed with the Clerk of the Bankruptcy Court no later than twenty one (21) days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on December 28, 2011 at 1:30 p.m., at the United States Bankruptcy Court, 145 King Street, Suite 225, Charleston, South Carolina. No further notice of this hearing will be given.

TYPE OF SALE: Private Sale.

PROPERTY TO BE SOLD: The Estate's interest in twenty-three (23) parcels of property in Atlanta, Georgia. Properties are more fully described in the attached Exhibit

NOTICE: THE TRUSTEE IS SELLING THE ABOVE-REFERENCED PROPERTY "AS IS," WITHOUT ANY WARRANTIES WHATSOEVER INCLUDING, BUT NOT LIMITED TO, WARRANTY AS TO TITLE. THE BUYER AGREES TO RECEIVE THE PROPERTY WITH ALL FAULTS. THE TRUSTEE MAKES NO WARRANTY, EXPRESS OR IMPLIED, REGARDING THE PROPERTY, AND SPECIFICALLY EXCLUDES ANY IMPLIED WARRANTY OF MERCHANTABILITY AND ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR USE OR PURPOSE. THE BUYER SHOULD HAVE THE TITLE TO THE PROPERTY RESEARCHED BEFORE THE CONSUMMATION OF THE SALE. THE TRUSTEE DOES NOT PROVIDE LIEN OPINIONS.

THE BUYER HAS BEEN GIVEN THE OPPORTUNITY TO EXAMINE THE PROPERTY BEFORE SIGNING ANY CONTRACT OR SUBMITTING A BID TO PURCHASE THE PROPERTY, AND TO PERFORM SUCH TESTING, IF APPLICABLE, TO DETECT POSSIBLE LATENT DEFECTS.

PRICE: The gross sales price shall be \$38,500.00 respectively, plus the assumption of certain taxes, fees, fines, and penalties as set forth more fully herein.

APPRAISAL VALUE: \$38,500.00 per Trustee's real estate professional.

BUYER: WestStar Holdings, LLC , or its assigns. (The Buyer is a good faith purchaser for value

under §363(m) and does not have any known adverse interest in this case or any parties involved in this case, including the Debtor, its counsel and the U.S. Trustee's office. The Buyer is not a creditor of the Debtor).

PLACE, DATE AND TIME OF SALE: This sale shall take place as soon as possible following the entry of the Order Approving the Sale by the U.S. Bankruptcy Court at a date, place and time to be agreed upon by the parties.

SALES AGENT/AUCTIONEER/BROKER/ETC.: Dona Cardenas, Keller Williams Realty, 3825 Peachtree Road, Suite 200, Atlanta, GA (404) 566-1414, with questions concerning the sale.

EXPENSES OF SALE: Normal Seller's closing costs estimated to be approximately 3% of the gross sale price are to be paid from the lender's portion of the sale proceeds.

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.: a) \$1,250 being approximately three percent (3%) to be paid by the lender's portion of the sale proceeds.

ESTIMATED TRUSTEE'S COMPENSATION: Reasonable compensation to be determined by the Court (but not to exceed the limits set in 11 U.S.C. §326(a)).

LIENS/MORTGAGES/SECURITY INTEREST ENCUMBERING PROPERTY: The sale is free and clear of all liens, encumbrances and judgments except as set forth herein. The property being sold is subject to any easements, covenants or restrictions of record. The property being sold is further subject to any real property ad valorem taxes, as well as any fines, fees, or charges imposed by any governmental entity or agency, including but not limited to county or municipal code enforcement agency.

There is a valid first mortgage lien held against this real property by Regions Bank, in an approximate amount of \$1,585,167.90. Regions Bank has agreed to accept the remaining net sale proceeds to release its lien on the real estate. The net amounts could increase or decrease depending on the actual closing costs determined at closing.

The Trustee is not aware of any other liens, judgments, or other encumbrances. To the extent they may exist, they are disputed and they shall attach to the estate's interest in the net sale of proceeds pursuant to 11 U.S.C. §326(f)(4).

DEBTOR'S EXEMPTION: Not applicable.

PROCEEDS ESTIMATED TO BE PAID TO THE ESTATE: \$4,000.00 being ten (10.0%) of the contract sales price.

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by private sale. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this application.

The Court may consider additional offers at any hearing held on this notice and application for sale. The Court may order at the hearing that the property be sold to another party on equivalent or more favorable terms.

The Trustee may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

WHEREFORE, applicant requests the court issue an order authorizing sale of said property and such other and further relief as may be proper.

Dated: November 30, 2011

/s/ Kevin Campbell
KEVIN CAMPBELL, TRUSTEE
Post Office Box 684
Mt. Pleasant, SC 29465
(843) 884-6874/884-0997(fax)
District Court ID No. 30
kcampbell@campbell-law-firm.com

Exhibit

ADDRESS	TAX ID #
1. 968 ASHBY CIRCLE	14-0115-0007-049-3
2. 997 ASHBY CIRCLE	14-0115-0004-069-4
3. 965 ASHBY GROVE	14-0116-0009-019-3
4. 879 BOOKER T. WASHINGTON	14-0110-0004-035-0
5. 90 CERRO STREET	14-0141-0008-001-1
6. 369 DEVELAN STREET	14-0087-0006-157-9
7. 288 DEVELAN STREET	14-0074-0005-017-1
8. 527 GRIFFIN STREET	14-0111-0002-148-2
9. 1029 MLK JR. DRIVE	14-0115-0010-085-2
10. 999 MAYSON TURNER STREET	14-0115-0007-036-0
11. 34 JOSEPH E. LOWREY	14-0115-0011-056-
12. 409 NEWPORT STREET	14-0111-0008-024-9
13. 235 SCIPLE TERRACE	14-0110-0001-121-1
14. 280 SCIPLE TERRACE	14-0110-0001-018-9
15. 290 SCIPLE TERRACE	14-0110-0001-015-5
16. 888 SPENCERSTREET	14-0110-0004-024-4
17. 415 SUNSET AVENUE	14-0111-0009-167-5
18. 594 THURMOND STREET	14-0083-0001-085-1
19. 666 THURMOND STREET	14-0110-0006-169-5
20. 793 THURMOND STREET	14-0110-0002-123-6
21. 592 UNIVERSITY AVENUE	14-0088-0001-005-4
22. 972 WASHINGTON STREET	14-0115-0003-037-1
23. 247 WELLINGTON STREET	14-0148-0004-072-9

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:)
)
Pavilack Industries, Inc.,) Bankruptcy Case No.: 10-06002-DD
)
) Chapter 7
)
Debtor.)

CERTIFICATE OF MAILING

I, Meghan R. Garmany, Legal Assistant, Campbell Law Firm, P.A. hereby certify that
on this day I mailed a true and correct copy of the following:

NOTICE AND APPLICATION FOR SALE OF PROPERTY
AND PROPOSED ORDER APPROVING SALE

by mailing said copies by First Class United States mail and Certified mail, with proper
postage affixed thereto and addressed to the following parties and those on the mailing
matrix

/s/ Meghan R. Garmany
MEGHAN R. Garmany, Legal Assistant
Campbell Law Firm, PA
Post Office Box 684
Mt. Pleasant, SC 29465
(843) 884-6874/ (843) 884-0997 fax

Mt. Pleasant, South Carolina
Dated: November 30, 2011

Label Matrix for local noticing
0420-2
Case 10-06002-jw
District of South Carolina
Charleston
Wed Nov 30 15:58:03 EST 2011

Anderson Brothers Bank
PO Box 187
Loris sc 29569-0187

John B. Butler III
1217 Anthony Avenue
Columbia, SC 29201-1701

Kevin Campbell
PO Box 684
Mount Pleasant, SC 29465-0684

Chase
P.O. Box 15298
Wilmington DE 19850-5298

Michael Conrady
Campbell Law Firm, PA
PO Box 684
Mt. Pleasant, SC 29465-0684

Crescent Bank
c/o Charles S. Altman, Esquire
Altman & Coker, LLC
Post Office Box 265
Charleston, SC 29402-0265

Reid E. Dyer
Moore & Van Allen, PLLC
40 Calhoun St., Suite 300
Charleston, SC 29401-3535

First Citizens Bank and Trust Company, Inc.
c/o Reid E. Dyer
Moore & Van Allen, PLLC
P.O. Box 22828
Charleston, SC 29413-2828

First Federal of Charleston
Attn: Donna Kellahan
Post Office Box 118068
Charleston, SC 29423-8068

Charles S. Altman
Altman & Coker, LLC
575 King St., Suite A
PO Box 265
Charleston, SC 29402-0265

Atlantic Bank and Trust
152 East Bay Street
P.O. Box 813
Charleston, SC 29402-0813

Robert C. Byrd
Parker, Poe, Adams & Bernstein, LLP
200 Meeting Street, Suite 301
Charleston, SC 29401-3156

Carolina First Bank
2003 N Oak St
Myrtle Beach SC 29577-3144

City of Atlanta Code Enforcement
City Solicitors Office
150 Garnett Street SW
3rd Floor
Atlanta GA 30303-3612

Conway National Bank
Attn. Buzz Freeman
PO Box 320
Conway, SC 29528-0320

Crescent Bank
PO Box 3050
Myrtle Beach SC 29578-3050

Edna Howard/Isabelle Howard
402 Westchest Blvd
Atlanta GA 30314-1127

First Federal
PO Box 30495
Tampa FL 33630-3495

First National Bank of Omaha
1620 Dodge Street Stop Code 3105
Omaha, NE 68197-0002

Robert F Anderson
PO Box 76
Columbia, SC 29202-0076

Brenda Smith
1591 Ezra Church DR NW
Atlanta GA 30314-2173

CAROLINA FIRST BANK
on behalf of DAVID H KOYSZA
PO BOX 728
GREENVILLE SC 29602-0728

c/o David H. Koysza Carolina First Bank
Wyche Burgess Freeman & Parham, PA
P. O. Box 728
Greenville, SC 29602-0728

City of Myrtle Beach
PO Box 15298
Myrtle Beach SC 29587-5298

Conway National Bank
Attn. Marion Freeman
PO Box 320
Conway, SC 29528-0320

Donald Jones (private)
1790 County Line Rd.
Atlanta GA 30331-6819

FULTON COUNTY TAX COMMISSIONER
141 PRYOR ST, STE 1113
ATLANTA. GA 30303-3566

First Federal Savings and Loan Association o
2440 Mall Drive, Suite 100
P.O. Box 118068
Charleston, SC 29423-8068

First National Bank of Omaha
PO Box 3412
Omaha NE 68103-0412

First Reliance Bank, isaoa
801 North Lake Drive
Lexington, SC 29072-2909

Michael P. Flanagan
Ward and Smith, PA
PO Box 8088
Greenville, NC 27835-8088

Fulton County Tax Commission
Arthur E Ferdinand
PO Box 105052
Atlanta GA 30348-5052

GE Money Bank
PO Box 103104
Roswell GA 30076-9104

GE Money Bank
c/o Recovery Management Systems Corporat
25 SE 2nd Ave Suite 1120
Miami FL 33131-1605

(p)GEORGIA DEPARTMENT OF REVENUE
BANKRUPTCY SECTION
1800 CENTURY BLVD NE
SUITE 17200
ATLANTA GA 30345-3206

Georgia Power
11675 Wills Road
Alpharetta GA 30009-2032

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PO Drawer 2426
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Harry Pavilack
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Myrtle Beach SC 29578-2740

Hoey Gates
599 James P Brawley
Atlanta GA 30318-6845

Horry County State Bank
c/o Tara E. Nauful
Haynsworth Sinkler Boyd, PA
PO Box 11889
Columbia, SC 29211-1889

Horry County State Bank
c/o Tara E. Nauful
Haynsworth Sinkler Boyd, P.A.
P.O. Box 11889
Columbia, SC 29211-1889

(p)RODDY DICKINSON HORRY COUNTY TREASURER
PO BOX 1828
CONWAY SC 29528-1828

INSPECTIONS & MORE
2691 MATHEWS STREET SE
SMYRNA GA 30080-2497

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

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616 C 36th Ave
Myrtle Beach SC 29577-2836

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Joseph Heath
247 Wellington st
Atlanta GA 30314-2231

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Wyche PA
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Greenville, SC 29601-3591

MF Carolina Properties, LLC
Attn: Tim Stoker
Mountain Asset Management
5270 West 84th Street, Ste. 205
Minneapolis, MN 55437-1375

Attn: Tim Stoker MF South Carolina I, LLC
Mountain Asset Management
5270 West 84th Street
Suite 205
Minneapolis, MN 55437-1375

G. William McCarthy Jr.
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PO Box 11332
Columbia, SC 29211-1332

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Columbia, SC 29211-1889

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Columbia, SC 29202-2426

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Metropolitan National Bank
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New York, NY 10016-1601

Michael Stephens
1111 Martin Luther King Jr Dr NW
Atlanta GA 30314-2901

Tara E. Nauful
1201 Main Street, 22nd Floor
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Columbia, SC 29211-1889

New Century Bank
Ward and Smith, P.A.
c/o Michael P. Flanagan
PO Box 8088
Greenville, NC 27835-8088

New Century Bank
2818 Raeford Road
Fayetteville NC 28303-5499

North Atlantic Bank
10500 Old Alabama Road Connector
Alpharetta GA 30022-8273

Pavilack Industries, Inc
PO Box 2740
Myrtle Beach, SC 29578-2740

RBC BANK
PO BOX #869
BUFFALO NY 14240-0869

RBC Bank
c/o Crawford & von Keller
PO Box 4216
Columbia SC 29240-4216

RBC Centura
PO Box 2857
Rocky Mount NC 27802-2857

Recovery Management Systems Corporation
25 SE Second Avenue
Suite 1120
Miami, FL 33131-1605

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

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Haynsworth Sinkler Boyd, PA
PO Box 11889
Columbia, SC 29211-1889

Regions Bank
170 Meeting Street Ste 1
Charleston SC 29401-3177

Regions Bank
PO Box 2224
Birmingham AL 35246-0026

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Haynsworth Sinkler Boyd, PA
PO Box 11889
Columbia, SC 29211-1889

Richard Matthews
7449 Hwy 544
Myrtle Beach SC 29588-9208

SOUTH ATLANTIC BANK
PO BOX 70130
MYRTLE BEACH SC 29572-0021

Shanteria Epps
280 Sciple Terrace
Atlanta GA 30314-3347

Spartanburg County Tax Collector
366 N Church St
Suite 400
Spartanburg SC 29303-3637

Charles P. Summerall IV
Buist Moore Smythe McGee PA
P.O. Box 999
Charleston, SC 29402-0999

Charles Pelot Summerall IV
Womble Carlyle Sandridge & Rice LLP
5 Exchange St.
Charleston, SC 29401-2530

TD Bank, N.A. (successor to Carolina First B
c/o David H. Koysza, Wyche, P.A.
44 E. Camperdown Way
Greenville, SC 29601-3512

Tonya Plezz
460 Robert Grissom Parkway
Myrtle Beach SC 29577-6577

US Trustee's Office
Strom Thurmond Federal Building
1835 Assembly St.
Suite 953
Columbia, SC 29201-2448

WINDING RIVER VILLAGE CONDO ASSOC INC
C/O PANKEY & HORLOCK LLC
4360 CHAMBLEE DUNWOODY ROAD STE 500
ATLANTA GA 30341-1077

(p)WACHOVIA BANK NA
PO BOX 13765
ROANOKE VA 24037-3765

Waste Industries
c/o RMS Bankruptcy Recovery Services
P.O. Box 5126
Timonium, Maryland 21094-5126

Wells Fargo Bank, N.A.
ATTN: Brian A. Burden
301 S. Tryon St. D1129-100
Two Wells Fargo Center, M-10
Charlotte, NC 28288-0659

Wells Fargo Bank, N.A. as successor-in-inter
300 S. Tryon Street
D1129-100
Charlotte, NC 28288-0659

David Brian Wheeler
P.O. Box 22828
Charleston, SC 29413-2828

Winding River Village
Condominium Association
4360 Chamblee Dunwood Ste 500
Atlanta GA 30341-1077

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Georgia Department of Revenue
PO Box 161108
Atlanta GA 30321-1108

Horry County Treasurer
PO Box 1237
Conway SC 29528

Internal Revenue Service
Centralized Ins
PO Box 21126
Philadelphia PA 19114-0326

Wachovia
P.O. Box 563966
Charlotte NC 28256-3966

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Anderson Brothers Bank

(d)New Century Bank
Ward and Smith, P.A.
c/o Michael P. Flanagan
Post Office Box 8088
Greenville, NC 27835-8088

(d)RODDY DICKINSON
HORRY COUNTY TREASURER
PO BOX 1828
CONWAY SC 29528-1828

(u)South Atlantic Bank

End of Label Matrix
Mailable recipients 88
Bypassed recipients 4
Total 92